

*Messrs. William Cogger and John E. Hughes* for petitioner. *Solicitor General Jackson* for the United States. Reported below: 92 F. 2d 905.

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No. 882. ALLEN, COLLECTOR OF INTERNAL REVENUE, *v.* REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA. April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Solicitor General Jackson* for petitioner. *Messrs. M. J. Yeomans, Marion Smith, M. E. Kilpatrick, and Hamilton Lokey* for respondents. Reported below: 93 F. 2d 887.

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No. 902. CHANDLER ET AL. *v.* WISE ET AL. April 11, 1938. Petition for writ of certiorari to the Court of Appeals of Kentucky granted. *Mr. J. W. Jones* for petitioners. *Messrs. Lafon Allen and Oldham Clarke* for respondents. Reported below: 270 Ky. 1; 108 S. W. 2d 1024.

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#### DECISIONS DENYING CERTIORARI, FROM JANUARY 18, 1938, THROUGH APRIL 11, 1938.

No. 684. POLLITT *v.* COX; and

No. 736. SAME *v.* WHEAT. January 31, 1938. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia, and motions for leave to proceed further *in forma pauperis*, denied. *Basil H. Pollitt, pro se.* Reported below: See 68 App. D. C. 90; 93 F. 2d 249.

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No. 711. HILL *v.* RAILROAD INDUSTRIAL FINANCE CO. ET AL. January 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Robert L. Hill, pro se.* Reported below: 93 F. 2d 973.

No. 725. *BOSTIC v. UNITED STATES*. January 31, 1938. Petition for writ of certiorari to the Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Sol M. Alpher* for petitioner. No appearance for the United States. Reported below: 94 F. 2d 636.

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No. 649. *HARDING v. KENTUCKY TITLE TRUST CO.* January 31, 1938. Motion for supersedeas denied. Petition for writ of certiorari to the Court of Appeals of Kentucky also denied. *Mr. Colescott P. Harding, pro se. Mr. Shackelford Miller, Jr.* for respondent. Reported below: 269 Ky. 622; 108 S. W. 2d 539.

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No. 634. *VAN RIPER v. UNITED STATES*. January 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John S. Wise, Jr.* for petitioner. *Solicitor General Reed, Assistant Attorney General McMahon, and Messrs. William W. Barron and W. Marvin Smith* for the United States. Reported below: 92 F. 2d 1020.

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No. 635. *CLARKE, TRUSTEE v. CHICAGO, B. & Q. R. Co.* January 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Samuel Meyers* for petitioner. *Mr. J. C. James* for respondent. Reported below: 91 F. 2d 635.

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No. 637. *PRESIDENT OF THE UNITED STATES EX REL. CAPUTO v. KELLY, U. S. MARSHAL, ET AL.* January 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Lewis Landes and Julius I. Puente* for petitioner. *Messrs. John W. Davis, Theodore Kiendl and A. S. Edmonds* for respondents. Reported below: 92 F. 2d 603.

No. 642. FIDELITY-PHENIX FIRE INS. CO. ET AL. *v.* CORTEZ CIGAR CO.; and

No. 650. CORTEZ CIGAR CO. *v.* FIDELITY-PHENIX FIRE INS. CO. ET AL. January 31, 1938. Petitions for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Dan MacDougald and Anton P. Wright* for petitioners in No. 642, and respondents in No. 650. *Messrs. A. R. Lawton, Jr. and T. M. Cunningham* for the Cortez Cigar Co. Reported below: 92 F. 2d 882.

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No. 644. ISACKSON *v.* SCHOOL DISTRICT No. 37. January 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John Lichty* for petitioner. *Mr. K. C. Tanner* for respondent. Reported below: 92 F. 2d 768.

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No. 648. GOLDBERG *v.* McCAULEY, WARDEN. January 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Samuel B. Bassett* for petitioner. No appearance for respondent. Reported below: 91 F. 2d 1016.

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No. 656. LOGAN, TRUSTEE IN BANKRUPTCY, *v.* STANOLIND OIL & GAS CO. ET AL. January 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John T. Pearson* for petitioner. No appearance for respondents. Reported below: 92 F. 2d 28.

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No. 661. COCHRANE *v.* UNITED STATES; and

No. 662. FELLOWS *v.* UNITED STATES. January 31, 1938. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs.*

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*Leslie G. Pepperle* and *Roswell B. O'Harra* for petitioners. *Acting Solicitor General Bell*, *Assistant Attorney General McMahon*, and *Messrs. William W. Barron* and *W. Marvin Smith* for the United States. By leave of Court, briefs of *amici curiae* were filed by *Mr. Gurney E. Newlin*, on behalf of the Cerritos Gun Club et al., and by *Mr. Bennett Sanderson*, on behalf of the Massachusetts Waterfowlers' Assn., in support of petitioners. Reported below: 92 F. 2d 623.

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No. 665. *J. A. LIVINGSTON, INC., v. POCONO RUBBER CLOTH Co.* January 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Abraham Shamos* and *Milton E. Mermelstein* for petitioner. *Mr. T. Hart Anderson* for respondent. Reported below: 92 F. 2d 290.

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No. 669. *HIPP, TRUSTEE IN BANKRUPTCY, v. BOYLE, TREASURER.* January 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Merritt A. Vickery* for petitioner. *Mr. Frederick W. Green* for respondent. Reported below: 92 F. 2d 338.

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No. 722. *KELLER v. ZERBST, WARDEN.* February 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *John Keller, pro se.* No appearance for respondent. 97 F. 2d 257.

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No. 654. *MCQUILLEN ET AL. v. COLEMAN, JUDGE.* February 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. The

CHIEF JUSTICE and MR. JUSTICE STONE took no part in the consideration or decision of this application. *Mr. Samuel Gottlieb* for petitioners. *Mr. James Piper* for respondent. Reported below: 93 F. 2d 1009.

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No. 681. MOULDING-BROWNELL CORP. *v.* SULLIVAN ET AL. February 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Employers Corporation v. Bryant*, 299 U. S. 374. *Mr. James J. Magner* for petitioner. *Mr. Harold R. Schradzke* for respondents. Reported below: 92 F. 2d 646.

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No. 657. SECURITY-FIRST NATIONAL BANK, TRUSTEE, *v.* WELCH, FORMER COLLECTOR OF INTERNAL REVENUE. February 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Dana Latham and George Bouchard* for petitioner. *Solicitor General Reed, Assistant Attorney General Morris, and Messrs. Sewall Key and Harry Marselli* for respondent. Reported below: 92 F. 2d 357.

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No. 666. ABBOTT, ADMINISTRATRIX, *v.* MORGENTHAU, SECRETARY OF THE TREASURY, ET AL. February 7, 1938. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. F. Eberhart Haynes and Thomas E. Rhodes* for petitioner. *Acting Solicitor General Bell, Assistant Attorney General Whitaker, and Mr. Henry A. Julicher* for respondents. Reported below: 68 App. D. C. 83; 93 F. 2d 242.

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No. 677. DIP *v.* UNITED STATES. February 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Raymond T.*

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*Coughlin* for petitioner. *Acting Solicitor General Bell*, *Assistant Attorney General McMahon*, and *Mr. William W. Barron* for the United States. Reported below: 92 F. 2d 802.

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No. 686. *CUDAHY PACKING CO. v. McBRIDE*. February 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. J. A. C. Kennedy* and *Ralph E. Svoboda* for petitioner. *Messrs. Wymer Dressler* and *Robert D. Neely* for respondent. Reported below: 92 F. 2d 737.

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No. 745. *NEW YORK EX REL. GEISELMAN v. HUNT, WARDEN*. February 14, 1938. Petition for writ of certiorari to the Wyoming County Court, of New York, and motion for leave to proceed further *in forma pauperis*, denied. *Samuel L. Geiselman, pro se*. No appearance for respondent. Reported below: 275 N. Y. 612; 11 N. E. 2d 781.

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No. 672. *LEVEY v. UNITED STATES*. February 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John F. Garvin* for petitioner. *Acting Solicitor General Bell*, *Assistant Attorney General McMahon*, and *Mr. William W. Barron* for the United States. Reported below: 92 F. 2d 688.

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No. 674. *SCHRIEBER-SCHROTH CO. v. CLEVELAND TRUST CO. ET AL.*;

No. 675. *ABERDEEN MOTOR SUPPLY CO. v. SAME*; and

No. 676. *F. E. ROWE SALES CO. v. SAME*. February 14, 1938. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs.*

*Thomas G. Haight, George L. Wilkinson, John H. Brunninga, and John H. Sutherland* for petitioners. *Messrs. A. C. Denison, F. O. Richey and Wm. C. McCoy* for respondents. Reported below: 92 F. 2d 330.

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No. 679. *CARTER v. MARVEL CARBURETOR Co.* February 14, 1938. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. William C. Carter, pro se. Mr. Wilbur M. Brucker* for respondent. Reported below: 281 Mich. 121; 274 N. W. 733.

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No. 682. *DUTCHESS UNDERWEAR CORP. v. INDUSTRIAL RAYON CORP.* February 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Asher Blum* for petitioner. *Mr. Inzer B. Wyatt, Jr.* for respondent. Reported below: 92 F. 2d 33.

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No. 700. *PACIFIC GAS & ELECTRIC Co. v. SACRAMENTO MUNICIPAL UTILITY DISTRICT ET AL.* February 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Warren Olney Jr. and J. M. Mannon, Jr.* for petitioner. *Mr. Stephen W. Downey* for respondents. Reported below: 92 F. 2d 365.

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No. 704. *CHICAGO, B. & Q. R. Co. v. GOODMAN, ADMINISTRATRIX.* February 14, 1938. Petition for writ of certiorari to the Appellate Court, 1st District, of Illinois, denied. *Mr. J. C. James* for petitioner. *Mr. Samuel Cohen* for respondent. Reported below: 289 Ill. App. 320; 7 N. E. 2d 393.

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No. 708. *DANISH, TRUSTEE, v. SOFRANSKI ET AL.* February 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Samuel C. Duberstein* for petitioner. *Mr. Louis J. Vorhaus* for respondents. Reported below: 93 F. 2d 424.

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No. 712. *WABASH APPLIANCE CORP. ET AL. v. GENERAL ELECTRIC CO.* February 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Samuel E. Darby, Jr. and Paul Kolisch* for petitioners. *Messrs. Hubert Howson and Merrell E. Clark* for respondent. Reported below: 93 F. 2d 671.

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No. 721. *PEERLESS EQUIPMENT CO. v. W. H. MINER, INC.* February 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Otto Raymond Barnett, George L. Wilkinson, and Rodney Bedell* for petitioner. *Mr. George I. Haight* for respondent. Reported below: 93 F. 2d 98.

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No. 762. *BELK v. MASSMAN CONSTRUCTION CO.* February 28, 1938. Petition for writ of certiorari to the Supreme Court of Nebraska, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Carl F. Belk, pro se.* No appearance for respondent. Reported below: 133 Neb. 303; 275 N. W. 76.

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No. 777. *POLLITT v. HALL, ACTING SUPERINTENDENT.* February 28, 1938. Petition for writ of certiorari to the Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Basil H. Pollitt, pro se.* No appearance for respondent. Reported below: 68 App. D. C. 90; 93 F. 2d 249.



No. 791. *SIMPSON ET AL. v. DYER ET AL.* February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *George T. Simpson, pro se.* No appearance for respondents. Reported below: 92 F. 2d 1016.

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No. 719. *PRATT v. UNITED STATES.* February 28, 1938. Petition for writ of certiorari to the Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. James J. Laughlin* for petitioner. No appearance for the United States. Reported below: 68 App. D. C. 106; 93 F. 2d 652.

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No. 799. *BROWN v. BROWN.* February 28, 1938. Petition for writ of certiorari to the Superior Court of Pennsylvania, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. James Yearsley* for petitioner. No appearance for respondent. Reported below: 124 Pa. Super. 237; 188 A. 389; 189 A. 711.

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No. 727. *UNITED STATES v. BAKER ET AL.* February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *MR. JUSTICE REED* took no part in the consideration or decision of this application. *Acting Solicitor General Bell* for the United States. *Mr. A. G. Bush* for respondents. Reported below: 93 F. 2d 332.

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No. 655. *PINK, SUPERINTENDENT OF INSURANCE, v. UNITED STATES.* February 28, 1938. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Alfred C. Bennett and Benjamin Potoker* for petitioner. *Acting*

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*Solicitor General Bell, Assistant Attorney General Whitaker, and Mr. Paul A. Sweeney for the United States. Reported below: 85 Ct. Cls. 121.*

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No. 660. MORAN, RECEIVER, *v.* UNITED STATES. February 28, 1938. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Meredith M. Daubin and H. L. McCormick* for petitioner. *Acting Solicitor General Bell, Assistant Attorney General Morris, and Mr. Sewall Key* for the United States. Reported below: 85 Ct. Cls. 492; 19 F. Supp. 557.

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No. 664. WILKINSON *v.* UNITED STATES. February 28, 1938. Petition for writ of certiorari to the Court of Claims denied. *Mr. Rees B. Gillespie* for petitioner. *Acting Solicitor General Bell, Assistant Attorney General Whitaker, and Messrs. Henry A. Julicher and Paul A. Sweeney* for the United States. Reported below: 85 Ct. Cls. 329.

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No. 683. UNITED STATES EX REL. PANNONE *v.* MARTINEAU, U. S. IMMIGRATION INSPECTOR. February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Thomas R. Robinson* for petitioner. *Acting Solicitor General Bell, Assistant Attorney General McMahon, and Messrs. William W. Barron and Bart W. Butler* for respondent. Reported below: 93 F. 2d 1021.

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No. 685. TAYLOR *v.* CALMAR STEAMSHIP CORP. February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Howard M. Long* for petitioner. *Messrs. Frank A. Bull, O. D. Duncan, and Russell T. Mount* for respondent. Reported below: 92 F. 2d 84.

- No. 687. *WALKER v. UNITED STATES*;  
No. 688. *DRUMMOND v. SAME*;  
No. 689. *LUTERAN v. SAME*;  
No. 690. *ADAMS v. SAME*;  
No. 691. *LORNE E. WELLS v. SAME*;  
No. 692. *JOE R. WELLS, JR. v. SAME*;  
No. 693. *ROACH v. SAME*;  
No. 694. *LITTLE v. SAME*;  
No. 695. *STEVENS v. SAME*;  
No. 696. *HOLMAN v. SAME*;  
No. 697. *NEEPER v. SAME*; and

No. 698. *DITSCH v. SAME*. February 28, 1938. Petition for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. I. J. Ringolsky, Harry L. Jacobs, Ludwick Graves, Irvin Fane, James Dalio and Wm. G. Boatright* for petitioners. *Acting Solicitor General Bell, Assistant Attorney General McMahon, William W. Barron, Mathew F. McGuire, and W. Marvin Smith* for the United States. Reported below: 93 F. 2d 383, 395, 401, 409.

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No. 702. *ASSOCIATED INDEMNITY CORP. ET AL. v. GEORGE F. GETTY OIL Co.* February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Frank A. Leffingwell* for petitioners. No appearance for respondent. Reported below: 92 F. 2d 255.

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No. 717. *ATLANTA BEER DISTRIBUTING Co. v. ALEXANDER, ADMINISTRATOR, FEDERAL ALCOHOL ADMINISTRATION.* February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. James F. Kemp* for petitioner. *Acting Solicitor General Bell, Assistant Attorney General McMahon, and Messrs. William W. Barron and W. Marvin Smith* for respondent. Reported below: 93 F. 2d 11.

No. 729. *HARRISS ET AL. v. INDEMNITY INSURANCE CO. ET AL.* February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Warner Pyne* for petitioners. *Mr. James I. Cuff* for respondents. Reported below: 93 F. 2d 459.

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No. 658. *MIDDLE STATES PETROLEUM CORP. v. UNITED STATES.* February 28, 1938. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Thaddeus G. Benton and Conrad E. Cooper* for petitioner. *Acting Solicitor General Bell, Assistant Attorney General Morris,* and *Messrs. Sewall Key and Guy Patten* for the United States. Reported below: 85 Ct. Cls. 232; 18 F. Supp. 945; 21 F. Supp. 128.

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No. 663. *BOTHWELL ET AL., RECEIVERS, v. UNITED STATES.* February 28, 1938. Petition for writ of certiorari to the Court of Claims denied. *Mr. Walter J. Carrico* for petitioners. *Acting Solicitor General Bell, Assistant Attorney General Morris,* and *Messrs. J. Louis Monarch and Guy Patten* for the United States. Reported below: 85 Ct. Cls. 150; 18 F. Supp. 1011.

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No. 701. *HYLAND v. MILLERS NATIONAL INSURANCE CO. ET AL.* February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. William S. Graham* for petitioner. *Messrs. Jewel Alexander, Percy V. Long and Wm. H. Orrick* for respondents. Reported below: 91 F. 2d 735; 92 F. 2d 462.

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No. 703. *BULL, EXECUTOR v. UNITED STATES.* February 28, 1938. Petition for writ of certiorari to the Court of Claims denied. *Mr. David A. Buckley, Jr.* for peti-

tioner. , *Acting Solicitor General Bell*, *Assistant Attorney General Morris*, and *Mr. J. Louis Monarch* for the United States. Reported below: 84 Ct. Cls. 632.

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No. 713. *DUBRIN ET AL. v. UNITED STATES*; and

No. 714. *WEINSTEIN v. SAME*. February 28, 1938. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. George H. Combs, Jr.* for petitioners in No. 713. *Mr. C. Dickerman Williams* for petitioner in No. 714. *Acting Solicitor General Bell*, *Assistant Attorney General McMahon*, and *Messrs. William W. Barron* and *W. Marvin Smith* for the United States. Reported below: 93 F. 2d 499.

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No. 718. *TOMLINSON v. UNITED STATES*. February 28, 1938. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. James A. O'Shea*, *John H. Burnett*, and *Alfred Goldstein* for petitioner. *Acting Solicitor General Bell*, *Assistant Attorney General McMahon*, and *Mr. William W. Barron* for the United States. Reported below: 68 App. D. C. 106; 93 F. 2d 652.

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No. 720. *MACKENZIE-KENNEDY v. UNITED STATES*. February 28, 1938. Petition for writ of certiorari to the Court of Claims denied. *Mr. Herman J. Galloway* for petitioner. *Acting Solicitor General Bell*, *Assistant Attorney General Whitaker*, and *Messrs. Henry A. Julicher* and *Paul P. Stoutenburgh* for the United States. Reported below: 85 Ct. Cls. 405.

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No. 724. *LUPO v. ZERBST, WARDEN*. February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. William*

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*Schley Howard* for petitioner. *Acting Solicitor General Bell*, *Assistant Attorney General McMahon*, and *Messrs. William W. Barron* and *Bates Booth* for respondent. Reported below: 92 F. 2d 362.

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No. 728. *BYRD-FROST, INC. v. ELDER*. February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Webster Atwell* for petitioner. *Mr. P. G. McElwee* for respondent. Reported below: 93 F. 2d 30.

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No. 731. *YVETTE COMPANY v. UNITED STATES*. February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Robert T. Tedrow* for petitioner. *Acting Solicitor General Bell*, *Assistant Attorney General Morris*, and *Messrs. J. Louis Monarch*, *William H. Boyd*, *Earl C. Crouter*, and *Joseph W. Burns* for the United States. Reported below: 93 F. 2d 1019.

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No. 732. *CORBETT v. EQUITABLE LIFE INSURANCE SOCIETY*. February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Thomas F. O'Mara* for petitioner. *Mr. Henry I. Green* for respondent.

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Nos. 733, 734, and 735. *WILLCOX, TRUSTEE IN BANKRUPTCY, v. GOESS, RECEIVER*. February 28, 1938. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Morris Ehrlich* for petitioner. *Messrs. Martin Conboy*, *Bernard Sobol*, *George P. Barse*, and *John F. Anderson* for respondent. Reported below: 92 F. 2d 8.

No. 739. *AMERICAN SURETY CO. v. TOWN OF HAMDEN*. February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Charles D. Lockwood* for petitioner. *Mr. Curtiss K. Thompson* for respondent. Reported below: 93 F. 2d 482.

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No. 743. *MAYNARD ET AL. v. FINNEY ET AL.* February 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. A. C. Wheeler* and *Robert L. Russell* for petitioners. No appearance for respondents. Reported below: 92 F. 2d 454.

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No. 749. *BALTIMORE & OHIO R. CO. v. LOVE, ADMINISTRATRIX*. February 28, 1938. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. William C. Combs* for petitioner. *Mr. Eugene Van Voorhis* for respondent. Reported below: 276 N. Y. 513; 251 App. Div. 783; 12 N. E. 454; 298 N. Y. S. 175.

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No. 737. *KLIPSTEIN, TRUSTEE, v. DAVIDOWICZ ET AL.* March 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Harold H. Levin* for petitioner. *Messrs. John J. Bennett, Jr.*, Attorney General, *Henry Epstein*, Solicitor General, and *Mr. Joseph A. McLaughlin*, Assistant Attorney General, of New York, for the Industrial Board, respondent. Reported below: 92 F. 2d 417.

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No. 741. *PINK, SUPERINTENDENT OF INSURANCE, v. DEMPSEY*; and

No. 767. *DEMPSEY v. PINK, SUPERINTENDENT OF INSURANCE*. March 7, 1938. Petitions for writs of certio-

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rari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Alfred C. Bennett* for Pink. *Messrs. Bruce Fuller* and *S. Wallace Dempsey* for Dempsey. Reported below: 92 F. 2d 572.

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No. 742. *UNION STOCK YARDS CO. v. INGRAM ET AL.* March 7, 1938. Petition for writ of certiorari to the Supreme Court of Nebraska denied. *Mr. Norris Brown* for petitioner. No appearance for respondent. Reported below: 133 Neb. 105; 274 N. W. 185.

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No. 747. *RABINOVITZ v. OUGHTON, TRUSTEE.* March 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Thomas F. Gain* and *Sigmund H. Steinberg* for petitioner. No appearance for respondent. Reported below: 92 F. 2d 297.

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No. 750. *PHILLIPS v. UNITED STATES.* March 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Edward H. S. Martin* for petitioner. *Acting Solicitor General Bell*, and *Messrs. Julius C. Martin, Wilbur C. Pickett, W. Marvin Smith, and Young M. Smith* for the United States. Reported below: 92 F. 2d 849.

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No. 751. *NASHVILLE, C. & ST. L. RY. v. RAILWAY EMPLOYEES' DEPT. OF A. F. OF L. ET AL.* March 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Wm. H. Swiggart* for petitioner. *Mr. Frank L. Mulholland* for respondents. Reported below: 93 F. 2d 340.



No. 754. *AWOTIN v. HEALY ET AL.* March 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Irving H. Flamm* for petitioner. *Messrs. Emmett J. McCarthy, Robert F. Carey, and Daniel M. Healy* for respondents. Reported below: 92 F. 2d 615.

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No. 755. *ANNETT v. NEW YORK, N. H. & H. R. Co.* March 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Curtiss K. Thompson* for petitioner. *Messrs. Edward R. Brumley, Jesse E. Waid, and Frederick H. Wiggins* for respondent. Reported below: 92 F. 2d 428.

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No. 433. *HARMAN v. COMMISSIONER OF INTERNAL REVENUE.* March 7, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Mark Eisner and Ferdinand Tannenbaum* for petitioner. *Solicitor General Reed, Assistant Attorney General Morris, and Mr. Sewall Key* for respondent. Reported below: 90 F. 2d 622.

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No. 827. *DOWLING v. WESTERN UNION TELEGRAPH Co.* March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. James H. Duffy* for petitioner. No appearance for respondent. Reported below: 92 F. 2d 864.

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No. 726. *MURPHY v. ZERBST, WARDEN.* March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. E. Harold Sheats* for petitioner. *Acting Solicitor General Bell, As-*

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*stant Attorney General McMahon, and Messrs. William W. Barron, and W. Marvin Smith for respondent. Solicitor General Jackson was on a brief for the respondent. Reported below: 92 F. 2d 671.*

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No. 740. INTERNATIONAL MANUFACTURERS SALES CO. *v.* UNITED STATES. March 14, 1938. Petition for writ of certiorari to the Court of Claims denied. *Mr. Loring M. Black* for petitioner. *Acting Solicitor General Bell, Assistant Attorney General Whitaker, and Mr. Paul A. Sweeney* for the United States. Reported below: 85 Ct. Cls. 683.

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No. 744. WASHINGTON *v.* McGRATH, EXECUTRIX. March 14, 1938. Petition for writ of certiorari to the Supreme Court of Washington denied. *Mr. William H. Pemberton* for petitioner. No appearance for respondent. Reported below: 191 Wash. 496, 71 P. 2d 395.

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No. 752. ATLANTIC COAST LINE R. CO. *v.* BATTON. March 14, 1938. Petition for writ of certiorari to the Supreme Court of North Carolina denied. *Messrs. Thomas W. Davis, F. S. Spruill, and V. E. Phelps* for petitioner. *Mr. W. Frank Taylor* for respondent. Reported below: 212 N. C. 256; 193 S. E. 674.

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No. 758. CAPONE *v.* UNITED STATES. March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Abraham Teitelbaum* for petitioner. *Acting Solicitor General Bell, Assistant Attorney General Morris, and Messrs. J. Louis Monarch, William H. Boyd, Earl C. Crouter, and W. Marvin Smith* for the United States. Reported below: 93 F. 2d 840.

No. 759. *SMITH ET AL. v. UNITED STATES*. March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Richard E. Westbrooks* for petitioner. *Acting Solicitor General Bell, Assistant Attorney General McMahon, and Messrs. William W. Barron, and W. Marvin Smith* for the United States. Reported below: 93 F. 2d 1019.

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No. 763. *LONDON & PROVINCIAL MARINE & GENERAL INS. CO. v. KENTUCKY MACARONI Co.; and*

No. 764. *ROYAL INSURANCE Co. v. SAME*. March 14, 1938. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Frank M. Drake* for petitioners. *Mr. Robert S. Marx* for respondent. Reported below: 92 F. 2d 1009.

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No. 765. *SALT LAKE COUNTY v. UTAH COPPER Co.* March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Mahlon E. Wilson and Harold E. Wallace* for petitioner. *Messrs. A. C. Ellis and C. C. Parsons* for respondent. Reported below: 93 F. 2d 127.

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No. 766. *STEIN, TRUSTEE IN BANKRUPTCY, v. LEIBOWITZ ET AL.* March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. David Goldstein* for petitioner. *Mr. Louis Rudner* for respondents. Reported below: 93 F. 2d 333.

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No. 776. *PICKETT v. TRIXLER, RECEIVER, ET AL.* March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. U. S. Lesh* for petitioner. No appearance for respondents. Reported below: 93 F. 2d 178.

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No. 793. MARSHALL COUNTY BANK *v.* CROWTHER. March 14, 1938. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied. *Mr. Martin Brown* for petitioner. No appearance for respondent. Reported below: 119 W. Va. —; 193 S. E. 915.

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No. 794. ST. PAUL FIRE & MARINE INS. CO. *v.* KAUFMAN COMPRESS Co. March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Lloyd E. Elliott* for petitioner. *Mr. Dan MacDougald* for respondent. Reported below: 93 F. 2d 156.

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No. 795. AMERICAN CONCRETE EXPANSION JOINT CO. ET AL. *v.* HIGHWAY APPLIANCES Co. March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Samuel W. Banning* for petitioners. *Mr. Albert G. McCaleb* for respondent. Reported below: 93 F. 2d 113.

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No. 804. LIVERMORE *v.* MANDEVILLE & THOMPSON, INC. March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Del W. Harrington* for petitioner. *Mr. Frank M. Bailey* for respondent. Reported below: 93 F. 2d 563.

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No. 819. GAGE ET AL., RECEIVERS, *v.* LEONARD, RECEIVER, ET AL. March 14, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Christie Benet and Edward W. Mullins* for petitioners. *Mr. George P. Barse* for respondents. Reported below: 94 F. 2d 19.

No. 857. *KIRKPATRICK v. HARDT*. See *ante*, p. 626.

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No. 847. *POPE v. UNITED STATES*. March 28, 1938. Petition for writ of certiorari to the Court of Claims, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Allen Pope, pro se*. No appearance for the United States. Reported below: 86 Ct. Cls. 18.

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No. 853. *LINDSEY ET AL. v. WASHINGTON*. March 28, 1938. Petition for writ of certiorari to the Supreme Court of Washington, and motion for leave to proceed further *in forma pauperis*, denied. *E. R. Lindsey, pro se*. No appearance for respondent. Reported below: 192 Wash. 356; 73 P. 2d 738.

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No. 875. *JORDON v. UNITED STATES*. March 28, 1938. Petition for writ of certiorari to the Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. James J. Laughlin* for petitioner. No appearance for the United States. Reported below: 66 App. D. C. 309; 87 F. 2d 64.

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No. 678. *NEW YORK EX REL. KURZYNSKI v. HUNT, WARDEN*. March 28, 1938. Petition for writ of certiorari to the Supreme Court of New York denied. *Paul Kurzynski, pro se*. *Mr. Henry Epstein*, Solicitor General of New York, for respondent. Reported below: 250 App. Div. 378; 294 N. Y. S. 276.

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No. 797. *BANKERS LIFE CO. v. CITY OF LITTLEFIELD ET AL.* March 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied.

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*Messrs. J. P. Lorentzen and A. E. Coker* for petitioner. *Messrs. James G. Martin and C. C. Crenshaw* for respondents. Reported below: 93 F. 2d 152.

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No. 800. CENTURY PRODUCTIONS, INC., ET AL. v. PATTERSON. March 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Henry Pearlman* for petitioners. *Mr. Edward A. Sargoy* for respondent. Reported below: 93 F. 2d 489.

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No. 803. MECHANICAL MANUFACTURING CO. v. MACANDREWS & FORBES Co. March 28, 1938. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Messrs. Samuel A. Ettelson and Erwin M. Treusch* for petitioner. *Messrs. Loy N. McIntosh and Frederick Secord* for respondent. Reported below: 367 Ill. 288; 11 N. E. 2d 382.

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No. 807. PHILLIPS v. TARRIER COMPANY. March 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. H. M. Voorhis* for petitioner. *Mr. Robert A. Littleton* for respondent. Reported below: 93 F. 2d 674.

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No. 808. MISSOURI BROADCASTING CORP. v. FEDERAL COMMUNICATIONS COMMISSION ET AL. March 28, 1938. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. Louis G. Caldwell and Donald C. Beelar* for petitioner. *Solicitor General Jackson, Acting Assistant Attorney General Berge,* and *Messrs. Charles H. Weston and Hampson Gary* for the Federal Communications Commission. *Mr. Paul D. P. Spearman* for the Star-Times Publishing Co. Reported below: 94 F. 2d 623.

No. 806. *ROYAL INSURANCE CO. v. SMITH*. March 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Percy V. Long* for petitioner. *Messrs. A. B. Bianchi and James M. Hanley* for respondent. Reported below: 93 F. 2d 143.

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No. 809. *MCGOLDRICK, COMPTROLLER, v. NATIONAL CASH REGISTER CO.; and*

No. 810. *SAME v. WEST PUBLISHING CO.* March 28, 1938. Petitions for writs of certiorari to the Supreme Court of New York denied. *Messrs. Wm. C. Chanler, Oscar S. Cox, Paxton Blair, and Meyer Bernstein* for petitioner. *Mr. Philip A. Carroll* for respondent in No. 809. *Messrs. Chester Bordeau and Francis L. Casey* for respondent in No. 810. Reported below: No. 809, 267 N. Y. 208; 252 App. Div. 90; 11 N. E. 2d 881; 297 N. Y. S. 169; No. 810, 276 N. Y. 535; 251 App. Div. 883; 12 N. E. 2d 565; 297 N. Y. S. 174.

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Nos. 812 and 813. *MERCANTILE-COMMERCE BANK & TRUST CO. ET AL. v. DEPARTMENT OF FINANCIAL INSTITUTIONS OF INDIANA ET AL.* March 28, 1938. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Truman Post Young* for petitioners. *Mr. Isador Kahn* for respondents. Reported below: 92 F. 2d 639.

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No. 816. *TERMINAL RAILROAD ASSN. v. MRAZEK*. March 28, 1938. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Messrs. Thomas M. Pierce, Joseph L. Howell, and Walter N. Davis* for petitioner. *Messrs. Harry S. Rooks and Oscar Habenicht* for respondent. Reported below: 341 Mo. 1054; 111 S. W. 2d 26.

No. 830. *TOUHY v. RAGEN, WARDEN*. March 28, 1938. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Thomas Marshall* for petitioner. *Mr. Otto Kerner* for respondent.

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No. 836. *EAST OHIO GAS CO. v. CLEVELAND*. March 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. William B. Cockley* for petitioner. *Mr. Alfred Clum* for respondent. Reported below: 94 F. 2d 443.

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No. 790. *PARIDY v. CATERPILLAR TRACTOR CO.* March 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. MR. JUSTICE BUTLER took no part in the consideration or decision of this application. *Mr. Frank C. Smith* for petitioner. No appearance for respondent. Reported below: 94 F. 2d 292.

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No. 599. *GLENN, COLLECTOR, v. SMITH*. March 28, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE REED took no part in the consideration or decision of this application. *Solicitor General Reed* for petitioner. No appearance for respondent. Reported below: 91 F. 2d 447.

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No. 17, original. *EX PARTE ARTHUR DEAN RICHMOND*. April 4, 1938. Motion for leave to file petition for writ of certiorari is granted, and the petition for writ of certiorari is denied. *Mr. William Lemke* for petitioner.



No. 896. *LEE v. PLUMMER, WARDEN.* April 4, 1938. Petition for writ of certiorari to the Supreme Court of California, and motion for leave to proceed further *in forma pauperis*, denied. *Howard Lee, pro se.* No appearance for respondent.

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No. 838. *ATLANTIC REFINING CO. v. SMITH ET AL.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. Mr. JUSTICE ROBERTS took no part in the consideration or decision of this application. *Mr. Otto Wolff, Jr.* for petitioner. *Mr. Walter B. Gibbons* for respondents. Reported below: 94 F. 2d 377.

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No. 818. *DOHERTY v. UNITED STATES.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. W. V. Hoagland* for petitioner. *Solicitor General Jackson, Assistant Attorney General McMahon, and Messrs. William W. Barron, W. Marvin Smith, and L. E. Birdzell* for the United States. Reported below: 94 F. 2d 495.

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No. 820. *BROOKLYN TRUST CO. v. SHERMAN SQUARE APARTMENTS, INC., ET AL.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Jacob A. Freedman and Ralph W. Crolly* for petitioner. *Messrs. Whitney North Seymour, John Ross Delafield, and Emanuel Celler* for respondents. Reported below: 93 F. 2d 1015.

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No. 821. *WOLK v. UNITED STATES.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. William C.*

*Green and George B. Edgerton* for petitioner. *Solicitor General Jackson, Assistant Attorney General McMahon, and Messrs. William W. Barron and W. Marvin Smith* for the United States. Reported below: 94 F. 2d 310.

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No. 823. *LABUDDE, COLLECTOR OF INTERNAL REVENUE, v. CUDAHY BROTHERS Co.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Acting Solicitor General Bell* for petitioner. *Mr. William F. Hannan* for respondent. Reported below: 92 F. 2d 937.

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No. 824. *WILLIAMS, TRUSTEE IN BANKRUPTCY, v. CORDEN CORPORATION ET AL.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. James M. Naylor* for petitioner. *Messrs. Ernest J. Torregano and Charles M. Stark* for respondents. Reported below: 93 F. 2d 758.

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No. 825. *FORT PITT BRIDGE WORKS v. COMMISSIONER OF INTERNAL REVENUE.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Robert T. McCracken and Leonard K. Guiler* for petitioner. *Solicitor General Jackson, Assistant Attorney General Morris, and Messrs. Sewall Key and F. E. Youngman* for respondent. Reported below: 92 F. 2d 825.

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No. 826. *KOSOLAPOFF v. PETROGRADSKY MEJDUNARODNY KOMMERCHESKY BANK.* April 4, 1938. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. Harmon S. Graves* for petitioner. *Messrs.*

*Paul C. Whipp* and *Lounsbury D. Bates* for respondent. Reported below: 276 N. Y. 499; 248 App. Div. 864; 12 N. E. 2d 449; 291 N. Y. S. 388.

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No. 828. *GOLDING BROTHERS Co. v. DUMAINE ET AL., TRUSTEES*. April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Israel Gorovitz* for petitioner. *Mr. Charles P. Curtis, Jr.* for respondents. Reported below: 93 F. 2d 162.

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No. 833. *BOSTON MACHINE WORKS Co. v. PRIME MANUFACTURING Co.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Melville F. Weston* for petitioner. *Messrs. George P. Dike* and *Cedric W. Porter* for respondent. Reported below: 93 F. 2d 594.

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No. 837. *ROBERTS ET AL. v. METROPOLITAN LIFE INS. Co. ET AL.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Jay E. Darlington* for petitioners. *Mr. S. Ashley Guthrie* for respondents. Reported below: 94 F. 2d 277.

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No. 843. *COHEN v. MARYLAND*. April 4, 1938. Petition for writ of certiorari to the Court of Appeals of Maryland denied. *Messrs. Harry O. Levin* and *Isaac Lobe Straus* for petitioner. No appearance for respondent. Reported below: 173 Md. 216; 195 A. 532.

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No. 844. *ROBERT JACOB, INC., v. GUNNARSON, ADMINISTRATRIX, ET AL.* April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second

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Circuit denied. *Mr. George S. Brengle* for petitioner. *Mr. Forrest E. Single* for respondents. Reported below: 94 F. 2d 170.

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No. 845. UNITED STATES *v.* WHARTON GREEN & Co. April 4, 1938. Petition for writ of certiorari to the Court of Claims denied. *Acting Solicitor General Bell* for the United States. *Messrs. George A. King, George R. Shields, and Herman J. Galloway* for respondent. Reported below: 86 Ct. Cls. 100.

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No. 856. QUICK ACTION IGNITION Co. *v.* BRIGGS & STRATTON CORP. April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. N. S. Arnstutz* for petitioner. *Messrs. Ira Milton and Richard Spencer* for respondent. Reported below: 93 F. 2d 207.

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No. 873. BURKE GRAIN Co. *v.* SAINT PAUL MERCURY-INDEMNITY Co. April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Tom Kirby* for petitioner. *Mr. G. J. Danforth* for respondent. Reported below: 94 F. 2d 458.

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No. 876. HOOD, SUCCESSOR RECEIVER, *v.* HARDESTY, RECEIVER. April 4, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. James M. Guiher* for petitioner. *Mr. George P. Barse* for respondent. Reported below: 94 F. 2d 26.

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No. 846. STANDARD MARINE INS. Co. *v.* WESTCHESTER FIRE INS. Co. April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second

Circuit denied. MR. JUSTICE STONE took no part in the consideration or decision of this application. *Messrs. Hartwell Cabell, Milton B. Ignatius, and Wendell P. Barker* for petitioner. *Messrs. Oscar R. Houston and D. Roger Englar* for respondent. Reported below: 93 F. 2d 286.

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No. 849. *AMERICAN SNUFF CO. v. COMMISSIONER OF INTERNAL REVENUE*. April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE STONE took no part in the consideration or decision of this application. *Mr. L. A. Luce* for petitioner. *Solicitor General Jackson, Assistant Attorney General Morris, and Messrs. Sewall Key and L. W. Post* for respondent. Reported below: 93 F. 2d 201.

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No. 831. *BONET, TREASURER OF PUERTO RICO, v. QUILES*. April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. William Cattron Rigby and Nathan R. Margold* for petitioner. No appearance for respondent. Reported below: 93 F. 2d 331.

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No. 832. *BONET, TREASURER OF PUERTO RICO, v. VALIENTE & Co.* April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. William Cattron Rigby and Nathan R. Margold* for petitioner. *Mr. Edelmiro Martinez Rivera* for respondent. Reported below: 93 F. 2d 327.

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No. 834. *DI SANTO v. UNITED STATES*. April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. William* ,

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*J. Dawley* for petitioner. *Solicitor General Jackson*, *Assistant Attorney General McMahon*, and *Messrs. Fred E. Strine* and *W. Marvin Smith* for the United States. Reported below: 93 F. 2d 948.

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No. 835. *M. McDONOUGH CO. v. WALDORF SYSTEM, INC.* April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. A. G. Gould* for petitioner. *Mr. Frank H. Stewart* for respondent. Reported below: 93 F. 2d 363.

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No. 839. *STERLING v. COMMISSIONER OF INTERNAL REVENUE.* April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Edward Holloway* for petitioner. *Solicitor General Jackson*, *Assistant Attorney General Morris*, and *Messrs. Sewall Key* and *Morton K. Rothschild* for respondent. Reported below: 93 F. 2d 304.

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No. 851. *GRUNWALD ET AL. v. UNITED STATES*; and

No. 852. *LUBITZKY v. SAME.* April 11, 1938. Petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Frederic M. P. Pearse* for petitioners. *Solicitor General Jackson*, *Assistant Attorney General McMahon*, and *Messrs. Mahlon D. Kiefer* and *W. Marvin Smith* for the United States. Reported below: 94 F. 2d 952.

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No. 854. *UNITED STATES v. MOOR.* April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Solicitor General Jackson* for petitioner. No appearance for respondent. Reported below: 93 F. 2d 422.

No. 855. *TOWNSEND v. UNITED STATES*. April 11, 1938. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. Elisha Hanson and Joseph A. Cantrel* for petitioner. *Solicitor General Jackson, Assistant Attorney General McMahon, and Messrs. William W. Barron and W. Marvin Smith* for the United States. Reported below: 95 F. 2d 352.

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No. 862. *WYMAN v. NEWHOUSE*. April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. C. C. Daniels* for petitioner. *Mr. Max D. Steuer* for respondent. Reported below: 93 F. 2d 313.

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No. 867. *BROWN-CRUMMER INVESTMENT Co., TRUSTEE, v. CITY OF HAMLIN ET AL.* April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. David M. Wood and James G. Martin* for petitioner. *Messrs. J. McAllister Stevenson and W. Edward Lee* for respondents. Reported below: 93 F. 2d 680.

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No. 868. *BLAIR v. T. W. WARNER Co.* April 11, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Eli J. Blair* for petitioner. *Mr. Abbot P. Mills* for respondent. Reported below: 94 F. 2d 13.